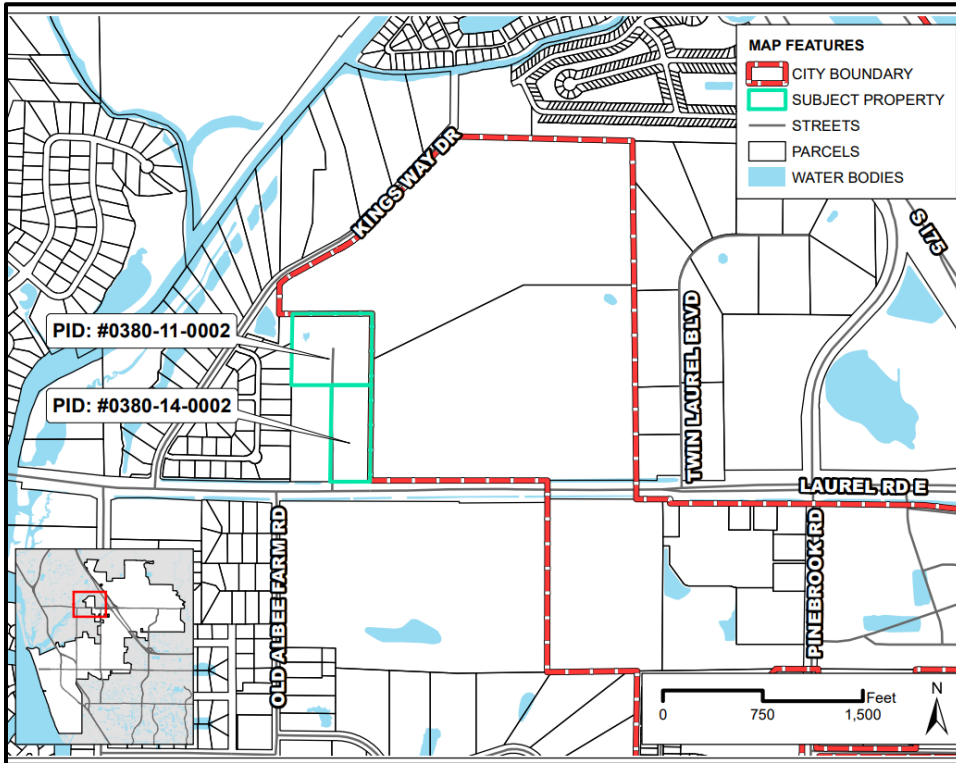


# 22-44AN Laurel Road Assemblage West Annexation Staff Report

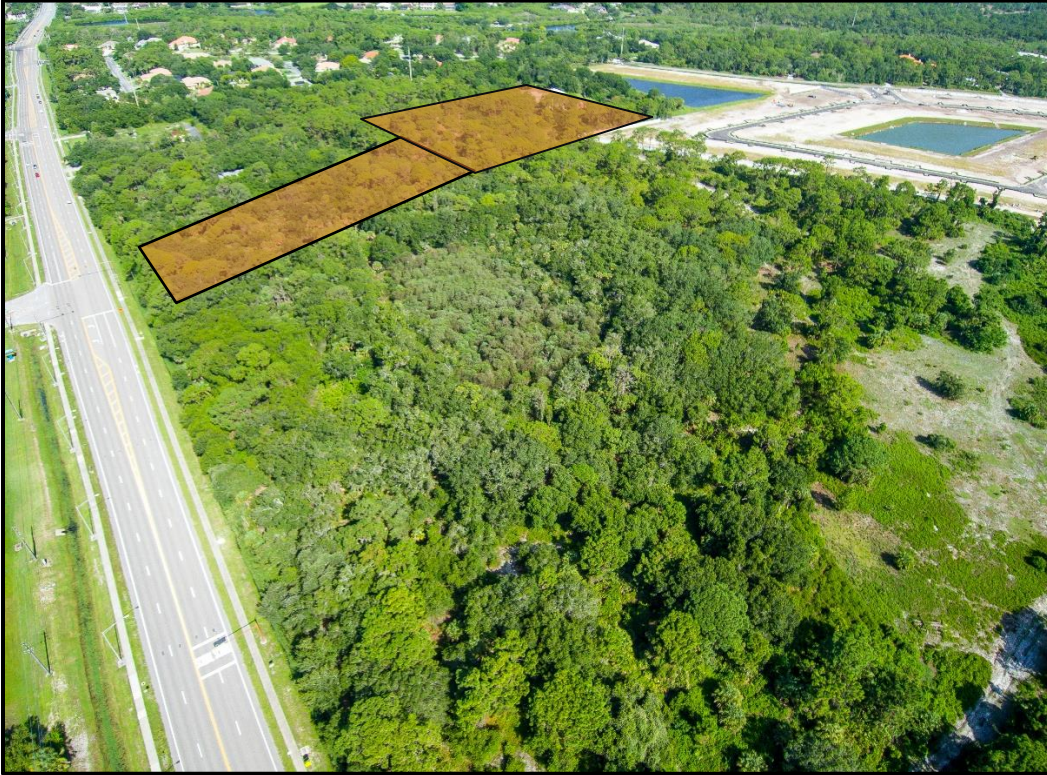


GENERAL INFORMATION	
<b>Address:</b>	1651 Laurel Road E.; 1881 Laurel Road E.
<b>Request:</b>	Annexation of 12.02 ± acres north of Laurel Road into the City's jurisdiction
<b>Applicant:</b>	2001 Laurel, LLC
<b>Agent:</b>	Annette M. Boone, Esq., Boone Law Firm
<b>Parcel ID:</b>	0380110002;0380140002
<b>Parcel Size:</b>	12.02 ± acres
<b>Future Land Use:</b>	Sarasota County Medium Density Residential
<b>Zoning:</b>	Sarasota County Open Use Estate 1
<b>Comprehensive Plan Neighborhood:</b>	Laurel Road Neighborhood
<b>Application Date:</b>	June 30, 2022

## I. BACKGROUND AND EXISTING CONDITIONS

The following petition was applied for under the former Chapter 86 of the Land Development Code, and therefore references to the old LDRs are within this staff report. The subject property consists of two (2) adjacent parcels with the addresses of 1651 Laurel Road E. ("Parcel 1") and 1881 Laurel Road E. ("Parcel 2"), Nokomis, Sarasota County, Florida 34275 (collectively referred to as the "Subject Property"). The Property totals 12.02 ± acres.

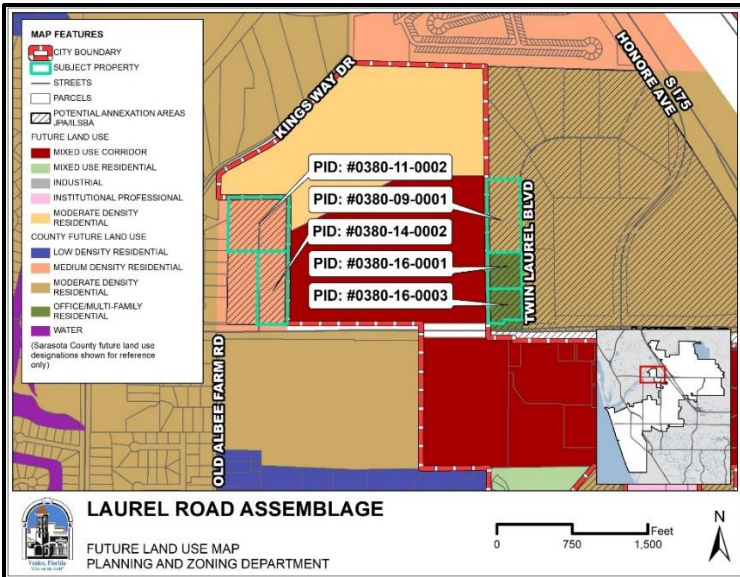
### Site Photograph



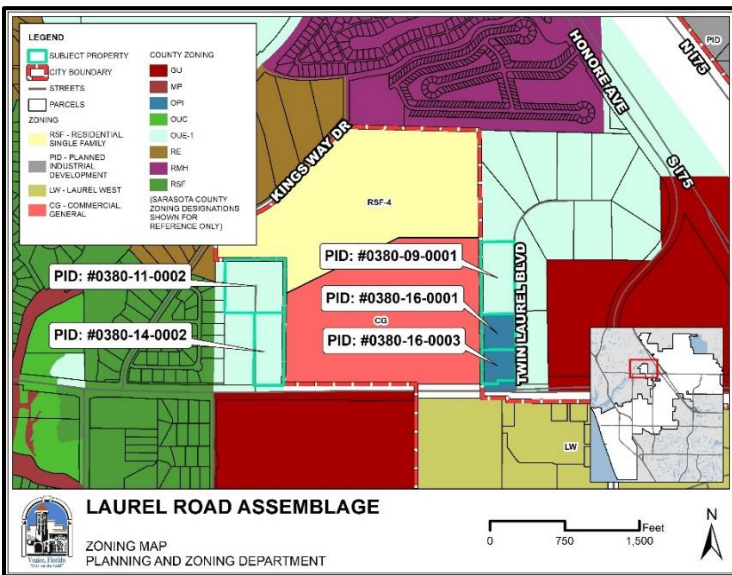
### Zoning and Future Land Use

As indicated above the subject property currently has Sarasota County zoning designations of Open Use Estate 1 and Office, Professional, and Institutional, and the Future Land Use designations of Moderate Density Residential and Office/Multi-Family Residential. The Subject Property is located within Area 5 of the JPA/ILSBA.

### Future Land Use Map



### Zoning Map



### Surrounding Property Information

Direction	Existing Land Use(s)	Current Zoning District(s)	Future Land Use Map Designation(s)
North	Residential	Residential Single Family 4 (RSF-4)	Moderate Density Residential
South	School	Sarasota County Government Use (GU)	Moderate Density Residential
East	Vacant land and residential development	Commercial General (CG) and Residential Single Family 4 (RSF-4)	Mixed Use Corridor and Moderate Density Residential
West	Residential	Sarasota County Residential, Single Family, 2.5 units/ acre (RSF-1) and Residential, Estate, 1 unit/ acres (RE-1)	Moderate Density Residential

## II. NOTIFICATION OF POTENTIAL ANNEXATION TO SARASOTA COUNTY

The JPA/ILSBA provides that the City will not annex any lands other than those designated as Potential Annexation Areas identified in the agreement and that these areas consist of land likely to be developed for urban purposes. It also indicates that the City shall provide notice to the County within twenty working days of receipt of any petition to annex properties within the JPA/ILSBA and include a report confirming consistency of the City's planned service delivery with the terms of the agreement.

The subject annexation application was deemed complete on July 6, 2022 by the City's Planning and Zoning Department and was forwarded to Sarasota County staff on July 29, 2021. The subject property lies within Area 5 of the JPA/ILSBA and provision of water and sewer service by the County is indicated for this area. The JPA/ILSBA indicates that the "County will not challenge, administratively, judicially, or otherwise, any annexations by the City that annex lands within the Potential Annexation Areas unless the annexed property is not contiguous, as defined in Chapter 171, Florida Statutes, to a City boundary, not compact, or cannot be adequately and reasonably served by police and fire services, or is inconsistent with this Agreement."

### **The following comments were received from Sarasota County on August 26, 2022:**

\*Please note that the County refers to multiple parcels, the remainder of which are covered by a related staff report and the County comments include reference to all the parcels.

**Planning:** *The "Laurel Road Assemblage" is located within the JPA/ILSBA Area No. 5 – Laurel Road Mixed Use Neighborhood where it is identified as a potential annexation area. Upon annexation, the properties are proposed to be placed within the Laurel Road (or "Laurel Road Corridor") neighborhood of the City of Venice Comprehensive Plan. The City's "Mixed Use Corridor (MUC)" Future Land Use designation will be applied to the properties. The MUC designation permits a maximum FAR of 0.5 designation-wide and 1.0 for individual sites, as well as a maximum residential density of 13 units per gross acre. This is consistent with the JPA guidelines for Area No. 5, which allows a maximum FAR of 2.0 and a maximum residential density of 13 units per gross acre.*

### **Public Work/Transportation Planning:**

- *The proposed development is expected to generate over 100 PM peak hour trips; therefore, a transportation impact analysis is required. Please contact Transportation Planning (Douglas Sines, 941-861-0722) to set up a methodology meeting before conducting the analysis. (Sarasota County Resolution No. 2019-106).*
- *Access to Laurel Road is subject to Sarasota County's Access Management requirements. Laurel Road is a Class 5 access facility.*
- *A Right-of-Way Use Permit will be required for any work within the Sarasota County right-of-way. The application shall be submitted to Sarasota County Land Development Services.*

**Environmental Protection:** *The sites (PID: 380110002, 0380140002, 0380090001, 0380160001 and 0380160003) are located within Area No. 5 of the Joint Plan Agreement which does not identify any environmental issues that should be addressed.*

**Public Utilities Comments:** *No new connections to the 30-in potable water transmission main will be permitted. There are smaller distribution lines in the area to serve the parcels.*

All comments have been provided to agent.

## III. FINANCIAL FEASIBILITY ANALYSIS

Consistent with the City's annexation process, the applicant has provided the financial feasibility analysis below (table and the notes that immediately follow it taken verbatim from the application) for the potential annexation of the subject property.

	Units	Average Taxable	Ad Valorem	Utility Fees Per Unit	Impact Fees Per Unit
<b>Multi-Family (MF)</b>	<b>156</b>	250,000	\$1,239.35	\$4,785	\$8,224.67
<b>Total MF</b>			\$193,338.60	\$746,460.00	\$1,283,048.52

**NOTES:**

- Additional Annual Revenues to the City will result from Communication Service Tax, Insurance Premium Taxes, Utility Service Taxes, Franchise Fees, Water and Sewer Fees, and other License and Permitting Fees.
- Infrastructure enhancements to the public transportation network, utility system, schools, and recreational facilities shall be determined by way of the Pre-Annexation Agreement and at the time of development. All such necessary improvement shall be provided by the developer or through impact fees.

**IV. PLANNING ANALYSIS**

This section of the report provides planning analysis on consistency with Chapters 163 and 171 Florida Statutes, consistency with the City’s Comprehensive Plan, and compliance with the land development code.

**A. Consistency with Chapters 163 and 171 Florida Statutes and the City’s Comprehensive Plan**

**Chapters 163 and 171 Florida Statutes**

The applicant has submitted a petition for annexation of the subject property from the jurisdiction of Sarasota County into the jurisdiction of the City of Venice. The property is eligible for annexation into the City due to its inclusion in the JPA/ILSBA. Chapters 163 and 171 of the Florida Statutes provide for the adoption of joint planning agreements and interlocal service boundaries.

The City and County executed the JPA/ILSBA originally in 2007 and have agreed to amendments of the document multiple times with the most recent amendment being in 2021. The agreement was executed in order to identify lands that are logical candidates for future annexations, the appropriate land uses and infrastructure needs and provider for such lands, ensure protection of natural resources and to agree on certain procedures for the timely review and processing of development proposals within those areas. Consistent with the identified statutes, the JPA/ILSBA provides the procedure for coordination of the annexation of land into the City.

**Consistency with the Comprehensive Plan**

The Comprehensive Plan includes the JPA/ILSBA; therefore, the majority of the analysis for Comprehensive Plan consistency is related to this agreement. The subject petition has been processed consistent with the procedures identified in the JPA/ILSBA including notification of the potential annexation to Sarasota County. As indicated, the applicant is proposing commercial general for the subject property; JPA/ILSBA Area 5 permits 13 units per acre calculated on a gross acreage basis. Approval of the annexation does not extend to any proposed uses. Uses will be determined based on the subsequent consideration of future land use and zoning.

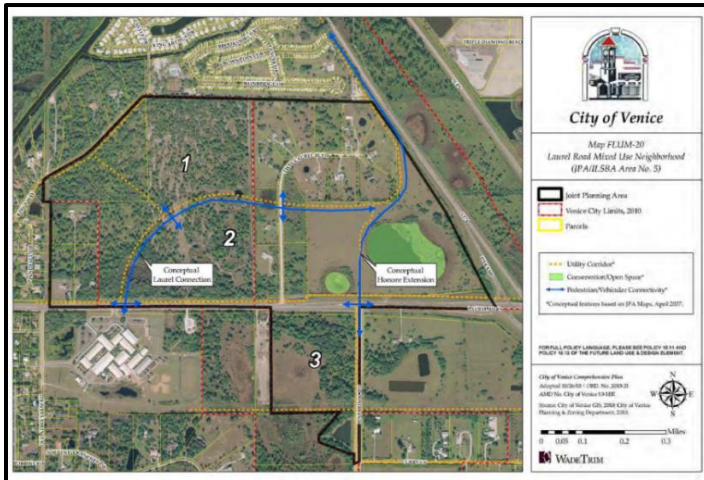
The JPA/ILSBA indicates that the City may annex lands as long as the land is contiguous to the municipal boundaries of the City, as defined in Chapter 171, Florida Statutes. The area to be annexed should also be compact.

“Contiguous” means that a substantial part of a boundary of the territory sought to be annexed by a municipality is coterminous with a part of the boundary of the municipality. The subject property is contiguous to the City boundary along the entirety of its northern and eastern boundaries.

“Compactness” means concentration of a piece of property in a single area and precludes any action which would create enclaves, pockets, or finger areas in serpentine patterns. Any annexation proceeding in any county in the state shall be designed in such a manner as to ensure that the area will be reasonably compact.

The subject property is reasonably compact.

### JPA/ILSBA Area No. 5 Map



Following is the full text provided in the JPA/ILSBA for Area 5 (as amended in 2020):

**Area 5-Laurel Road Neighborhood:** As a gateway into central and southern Sarasota County, this area shall be a transitional zone consisting of a mix of land uses that are supportive of medical a professional-related uses, and residential uses that are well linked internally. Non-residential development in this Area shall consist of Office/Professional and Institutional uses, and commercial uses. The square footage of the non-residential uses allowed shall no exceed a 2.0 FAR. Residential land uses for this area shall not exceed a maximum of 13 units per acre calculated on a gross acreage basis.

Development shall be served by County water and sewer.

For properties located north of Laurel Road, in order to minimize impacts to adjacent residential development to the north and west, the following landscape buffers and minimum building setbacks shall be provided. Along the north boundary, a 15-foot wide landscape buffer containing 2 large, 4 medium/small trees and 25 shrubs per 100 lineal feet of buffer. Along Kings Way Drive, a 10-foot wide landscape buffer containing 2 large and 2 medium/small trees per 100 lineal feet buffer. Large trees shall be a minimum of 10-feet in height with a 4-foot spread and 2-inch caliper truck at time of planting, and shall be species that reaches a minimum height of 24-inches within 12 month. Buildings of more than 1-story shall be set back a minimum of 35-feet from the north boundary and Kings Way Drive. If single-family subdivision is constructed without an adjoining frontage or access road, the Kings Way Drive buffer shall expand to 15-feet and include a subdivision wall constructed of masonry or other similar hard surface with a decorative finish such as stucco. The wall shall be a minimum of 5-feet and a maximum of 6-feet in height with an additional 18-inches permitted for architectural elements such as finials. The wall shall be set back from the street a minimum of 10-feet and all required landscaping located on the street side of the wall.

Internal capture, east/west connectivity within the Area, and limitation of access points onto Laurel Road and Honore Avenue shall be the focus of transportation improvements, and will require close coordination between both parties, as well as with the Florida Department of Transportation.

The appropriate buffers and setbacks identified in the JPA would apply when a development proposal is submitted, and access to Laurel Road will also be determined at the point of development in conjunction with other relevant agencies.

**Strategy LU-LR 1.1.1-Mixed Use Corridor.** The MUC within the Laurel Road Neighborhood comprises approximately 298.8 acres generally including property along Laurel Road at the I-75 interchange (see mixed-use descriptions in the Future Land Use Element). The following shall apply for the MUC designation:

A. The minimum residential density is 5.1; the maximum residential density is 13.0 dwelling units (DUs) per gross acre. The range of dwelling units permitted in the MUC is:							
	Number of Acres	DUs per Acre (Max)	Minimum Development %	Maximum Development %	Minimum DUs	Maximum DUs	Existing as of 11/01/21
<b>MUC</b>	299	13	10%	25%	389	972	565
B. The maximum non-residential intensity for the overall area is calculated based on a FAR of 0.50 (designation-wide); 1.0 (for individual sites). The range of square footage permitted in the MUC is:							
	Number of Acres	Area Wide FAR	Minimum Development %	Maximum Development %	Minimum Square Feet	Maximum Square Feet	Existing as of 11/01/21
<b>MUC</b>	299	0.50	75%	90%	4,884,165	5,860,998	361,262

The MUC designation permits a maximum FAR of 0.5 designation-wide and 1.0 for individual sites, as well as a maximum residential density of 13 units per gross acre. The JPA guidelines for Area No. 5 allow a maximum FAR of 2.0 and a maximum residential density of 13 units per gross acre, although the stricter limit will apply at the time of development.

**Strategy LU 4.1.1 of the Comprehensive Plan includes Policy 8.2, Land Use Compatibility Review Procedures.** At the point of the annexation of property, evaluation of compatibility is required to ensure compatibility with adjacent uses. Compatibility review requires evaluation of the following as listed in Policy 8.2:

- A. Land use density and intensity.
- B. Building heights and setbacks.
- C. Character or type of use proposed.
- D. Site and architectural mitigation design techniques.

**Applicant Response:** In response to items A.-D.: The considerations set forth in items A.-D. are not all materially applicable to the annexation stage; however, the proposed annexation complies with the JPA/ILSBA and Comprehensive Plan, and therefore development of the Property will proceed in a manner that ensures compatibility with the existing neighborhood. All such considerations will be further evaluated and appropriately addressed at the time of rezoning and development plan proposal.

- E. Protection of single-family neighborhoods from the intrusion of incompatible uses.
- F. Prevention of the location of commercial or industrial uses in areas where such uses are incompatible with existing uses.
- G. The degree to which the development phases out nonconforming uses in order to resolve incompatibilities resulting from development inconsistent with the current Comprehensive Plan.
- H. Densities and intensities of proposed uses as compared to the densities and intensities of existing uses.

**Applicant Response:** In response to items E.-H.: Again, the considerations set forth in items E.-H. are not all materially applicable to the annexation stage; however, the proposed annexation complies with the JPA/ILSBA and Comprehensive Plan, and therefore development of the Property will proceed in a manner that ensures compatibility with the existing neighborhood. All such considerations will be further evaluated and appropriately addressed at the time of rezoning and development plan proposal.

- I. Providing open space, perimeter buffers, landscaping and berms.
- J. Screening of sources of light, noise, mechanical equipment, refuse areas, delivery and storage areas.
- K. Locating road access to minimize adverse impacts.
- L. Adjusting building setbacks to transition between different uses.
- M. Applying step-down or tiered building heights to transition between different uses.
- N. Lowering density or intensity of land uses to transition between different uses.

**Applicant Response:** Again, the considerations set forth in items I.-N. are not all materially applicable to the annexation stage; however, the proposed annexation complies with the JPA/ILSBA and Comprehensive Plan, and therefore development of the Property will proceed in a manner that ensures compatibility with the existing neighborhood. All such considerations will be further evaluated and appropriately addressed at the time of rezoning and development plan proposal.

**Summary Staff Comment:** *This is an annexation petition and does not propose development. Subsequent petitions will be reviewed regarding development.*

**Conclusions / Findings of Fact (Consistency with the Comprehensive Plan):**

Analysis has been provided to determine consistency with the Chapters 163 and 171 of the Florida Statutes, the Joint Planning and Interlocal Service Boundary Agreement (JPA/ILSBA) between the City and County, and Land Use Element strategies applicable to the Mixed-Use Corridor future land use designation and Policy 8.2 regarding compatibility. This analysis should be taken into consideration upon determining Comprehensive Plan consistency.

**B. Compliance with the Land Development Code (LDC)**

The City’s LDC in Code Section 86-23(k) provides minimal instruction regarding annexation of land, but it does indicate that the City Council shall certify the proposal for annexation (including any proposed collateral agreement in that regard) to the Planning Commission. The Commission shall consider the proposal as follows:

- In relation to its established comprehensive plan for city-wide development and control or by applying such other criteria as may have been established under its own rules and procedures. (There are no criteria specific to annexation petitions in Planning Commission’s rules and procedures.)
- Shall recertify the proposal to the City Council with its recommendation for approval, rejection or modification in whole or in part.

**Conclusions / Findings of Fact (Compliance with the Land Development Code):**

The subject petition complies with all applicable Land Development Code requirements.

**V. CONCLUSION**

**Planning Commission Report and Action**

Upon review of the petition, Florida Statutes, the Comprehensive Plan, Land Development Code, staff report and analysis, and testimony provided during the public hearing, there is sufficient information on the record to take action on Annexation, Petition No. 22-44AN.